



Docket No.: 20523 US (C038435/0120240)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*In re* Application of: )  
Chyi-Cheng CHEN and Bruno LEUENBERGER )  
Serial No.: 09/726,880 )  
Filed: November 30, 2000 )  
For: **A VITAMIN POWDER COMPOSITION** )  
**AND METHOD OF MAKING** )

Examiner: L. Channavajjala  
Art Unit: 1611

New York, New York  
December 2, 2009

**SUBMISSION UNDER 37 CFR § 1.114 INCLUDING AMENDMENT;**  
**RESPONSE TO FINAL OFFICE ACTION**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Submission Under 37 CFR § 1.114 accompanying a Request for Continued Examination (RCE) is in response to the Final Office Action mailed April 1, 2009, which set a three-month shortened statutory period for response. A Notice of Appeal and a Petition for Extension of time - three-months, were filed with an executed certificate of mailing on October 1, 2009, and date-stamped as received in the US Patent and Trademark Office on October 5, 2009. Accordingly, this Submission and RCE are filed timely upon mailing, with an executed certificate of mailing, on or before December 5, 2009. 37 CFR §§ 1.8 and 41.37. It is believed that no fees for extension

Application No.: 09/726,880  
Response Dated: December 2, 2009  
Response to Final Action of: April 1, 2009

of time are owed. If, however, a fee for extension is due, please charge our Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

A check for the RCE fee of \$810.00 is enclosed. 37 CFR § 1.17(e).

Please charge any required fees not otherwise paid by check to Deposit Account No. 02-4467.

Application No.: 09/726,880  
Response Dated: December 2, 2009  
Response to Final Action of: April 1, 2009

of time are owed. If, however, a fee for extension is due, please charge our Deposit  
Account No. 02-4467. A duplicate copy of this sheet is enclosed.

A check for the RCE fee of \$810.00 is enclosed. 37 CFR § 1.17(e).

Please charge any required fees not otherwise paid by check to Deposit  
Account No. 02-4467.

Application No.: 09/726,880  
Response Dated: December 2, 2009  
Response to Final Action of: April 1, 2009

Please amend the above-identified application as follows:

**Amendments to the Claims** begin on page 4 of this Response, and contain a complete listing of the claims as required.

**Remarks** begin on page 8 of this Response.